

Transmitted Cover Sheet(s) for Notice to File Missing Parts

Response To Notice To File Missing Parts Of Application Filing Date Granted (PTO-1533) (Small Entity)				Docket No. (MM) 54 358	
In Re Application Of: Scherzinger					
Application No. 10/713,466	Filing Date 11/14/2003	Examiner NA	Customer No.	Group Art Unit 2856	Confirmation No.

Invention: Measurement Probe, in Particular for an Apparatus for Measurement of the Thickness of Thin Layer

11/16/2004 FFANAI2 00000035 10713466

01 FC:2251 55.00 0P

Mail Stop Missing Parts

COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
08/09/2004
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ _____ verified small entity declaration(s)
 - ☐ is/are attached:
 - ☐ was/were filed on _____
- ☐ A separate request for refund.
- ☒ Other (list):

Assignment with Recordation Cover Sheet with Assignment and PTO 2038 for recordation fee
Additional page for Deposit Account
Priority Document DE 103 48 652.6
First Class Mailing Certification
Acknowledgement Postcard
Transmittal Cover Sheet (THIS SHEET + 2 PAGES)

Sign

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.
(MM) 54 358

In Re Application Of: Scherzinger

Application No.
10/713,466

Filing Date
11/14/2003

Examiner
NA

Customer No.

Group Art Unit
2856

Confirmation No.

Invention: Measurement Probe, in Particular for an Apparatus for Measurement of the Thickness of Thin Layer

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of \$120.00 is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 11-0665
- ☒ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

M. Robert Kestenbaum

Signature

Dated: 11/09/2004

M. Robert Kestenbaum
Reg. No. 20,430
11011 Bermuda Dunes NE
Albuquerque, NM, USA 87111
Phone: (505) 323-0771
Fax: (505) 323-0865

cc:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

11/09/2004

M. Robert Kestenbaum

Signature of Person Mailing Correspondence

M. Robert Kestenbaum

Typed or Printed Name of Person Mailing Correspondence

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.
(MM) 54 358

In Re Application Of: Scherzinger

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/713,466	11/14/2003	NA		2856	

Invention: Measurement Probe, in Particular for an Apparatus for Measurement of the Thickness of Thin Layer

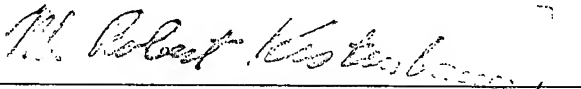
TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of \$120.00 is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 11-0665
- ☒ Payment by credit card. Form PTO-2038 is attached.

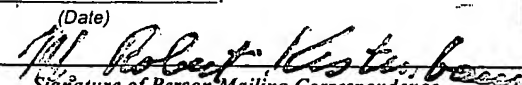
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

Dated: 11/09/2004

M. Robert Kestenbaum
Reg. No. 20,430
11011 Bermuda Dunes NE
Albuquerque, NM, USA 87111
Phone: (505) 323-0771
Fax: (505) 323-0865

CC:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on	
11/09/2004	(Date)
 Signature of Person Mailing Correspondence	
M. Robert Kestenbaum	
Typed or Printed Name of Person Mailing Correspondence	

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

Applicant(s): Scherzinger and Kindler

Docket No.

(MM) 34 358

Application No.
10/713,466Filing Date
11/14/2003

Examiner

Customer No.

Group Art Unit
2856

Invention: Measurement Probe, in Particular for an Apparatus for Measurement of the Thickness of Thin Layers

I hereby certify that this Response to Notice to File Missing Parts, including Declaration and Assignment
(Identify type of correspondence)

is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on
11/09/2004
(Date)

M. Robert Kestenbaum

(Typed or Printed Name of Person Mailing Correspondence)


(Signature of Person Mailing Correspondence)

Note: Each paper must have its own certificate of mailing.

Enclosures:

Copy of Notice to File Missing Parts

Executed Inventors' Declaration with Power of Attorney (3 pages)

Assignment Recordation Cover Sheet

Executed Assignment (2 pages) with PTO 2038 authorizing charging credit card for \$40 recordation fee

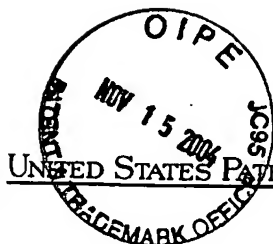
PTO 2038 authorizing charging a credit card for the late declaration surcharge and one month extension fee

Transmittal of Response to Notice to File Missing Parts (3 pages) with additional page for deposit account

Priority Document for DE103 48 652.6

Acknowledgement postcard certified for 11/9/2004

First Class Mailing Certification certified for 11/9/2004



UNITED STATES PATENT AND TRADEMARK OFFICE

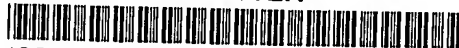
UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1430
 Alexandria, Virginia 22313-1430
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/713,466	11/14/2003		(MM) 54 358

M. Robert Kestenbaum
 11011 Bermuda Dunes NE
 Albuquerque, NM 87111

CONFIRMATION NO. 1922

FORMALITIES LETTER



OC000000013483963

Date Mailed: 08/09/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/16/2004 FFANAI2 00000035 10713466

FILED UNDER 37 CFR 1.53(b)

02 FC:2051

65.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The oath or declaration does not identify each inventor by full name, including the family name and at least one given name without abbreviation.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

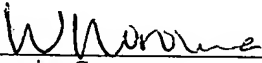
Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- A new oath or declaration, identifying this application number is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:
- does not identify the residence (e.g., city and either state or foreign country) of each inventor.
- does not identify the complete mailing or post office address of each inventor.
- does not identify the citizenship of each inventor.
- does not state whether the inventor is a sole or joint inventor.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.



Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY